

2013 DRAFTING REQUEST

Bill

Received: 1/12/2013 Received By: tkuczens
Wanted: As time permits Same as LRB:
For: Administration-Budget 266-1037 By/Representing: Hynek
May Contact: Drafter: tkuczens
Subject: Education - charter schools Addl. Drafters:
Extra Copies: pg, ffk

Submit via email: YES
Requester's email:
Carbon copy (CC) to: tracy.kuczenski@legis.wisconsin.gov

Pre Topic:

DOA:.....Hynek, BB0364 -

Topic:

Virtual school teacher credit requirements

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	tkuczens 1/14/2013			_____			
/P1	tkuczens 1/28/2013	jdye 1/28/2013	rschluet 1/29/2013	_____	lparisi 1/14/2013		
/P2				_____	sbasford 1/29/2013		

FE Sent For:

<END>

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/?	tkuczens 1/14/2013	P2 1/28 jld					
/P1		jdye 1/14/2013	phenry 1/14/2013		lparisi 1/14/2013		

FE Sent For:

2513
<END>

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/?	tkuczens	PI 1/14 JLD	1/14 ph	X			

FE Sent For:

<END>

Kuczenski, Tracy

From: Hanaman, Cathlene
Sent: Friday, January 11, 2013 2:37 PM
To: Kuczenski, Tracy; Knepp, Fern; Grant, Peter
Subject: FW: Statutory Language Drafting Request - BB0364

From: Sara.Hynek@Wisconsin.gov [<mailto:Sara.Hynek@Wisconsin.gov>]
Sent: Friday, January 11, 2013 1:56 PM
To: Hanaman, Cathlene
Cc: Hynek, Sara - DOA; Hynek, Sara - DOA; Thornton, Scott - DOA
Subject: Statutory Language Drafting Request - BB0364

Biennial Budget: 2013-15

DOA Tracking Code: BB0364

Topic: Virtual School Teacher Credit Requirements

SBO Team: EWD

SBO Analyst: Hynek, Sara - DOA
Phone: (608) 266-1037
E-mail: Sara.Hynek@Wisconsin.gov

Agency Acronym: DPI

Agency Number: 255

Priority: Medium

Intent:

PI 34.34 requires that teachers at virtual charter schools complete 30 hours of professional development in online teaching. The intent is to eliminate this requirement by prohibiting enhanced professional development requirements for virtual charter school teachers.

Attachments: False

Please send completed drafts to statlanguage@wisapps.wi.gov

Chapter PI 34

TEACHER EDUCATION PROGRAM APPROVAL AND LICENSES

Subchapter I — Definitions

PI 34.01 Definitions.

Subchapter II — Wisconsin Standards

PI 34.02 Teacher standards.
PI 34.03 Administrator standards.
PI 34.04 Pupil services standards.

Subchapter III — Program Approval And Appeals

PI 34.05 Implementation.
PI 34.06 Program approval.
PI 34.07 Appeal procedure.
PI 34.08 Experimental and innovative programs.
PI 34.09 Review and modification of rules.

Subchapter IV — Institutional And Program Standards

PI 34.10 Organization and administration of teacher education programs.
PI 34.11 Faculty.
PI 34.12 Facilities, technology, instructional resources and support.
PI 34.13 Student services.
PI 34.14 Student recruitment, admission and retention.
PI 34.15 Conceptual framework.

Subchapter V — Licenses And Stages

PI 34.16 License stages.
PI 34.17 Initial educator license.
PI 34.18 Professional educator license.
PI 34.185 Agreements.
PI 34.19 Master educator license.
PI 34.195 License based on equivalency or experience.
PI 34.20 Life licenses.
PI 34.21 Emergency licenses and permits.
PI 34.22 Intern licenses.

PI 34.23 Substitute teacher license.
PI 34.24 Substitute teacher permit.
PI 34.245 Local agreements.
PI 34.246 Educational agencies under s. 115.31 (1) (b), Stats.

Subchapter VI — Licensing Continuation And Conversion

PI 34.25 License continuation.
PI 34.26 License conversion.

Subchapter VII — Teaching Categories And Levels

PI 34.27 Teaching categories at the early childhood and early childhood through middle childhood levels.
PI 34.28 Teaching categories middle childhood through early adolescence level.
PI 34.29 Teaching categories at the early adolescence through adolescence level.
PI 34.30 Teaching categories at the early childhood through adolescence level.

Subchapter VIII — Pupil Services Categories

PI 34.31 Pupil services categories.

Subchapter IX — Administration Categories

PI 34.32 Administration categories.

Subchapter X — Supplementary Categories

PI 34.33 Supplementary categories.

Subchapter XI — Additional Licenses

PI 34.34 Additional licenses.

Subchapter XII — License Revocation

PI 34.35 License revocation, reinstatement and denial.

Subchapter XIII — Professional Standards Council

PI 34.36 Professional standards council.

Subchapter I — Definitions

PI 34.01 Definitions. In this chapter:

(1) "Accredited" means that an educational institution meets required educational standards or accepted criteria of quality in its educational program as established by a recognized regional institutional accrediting agency.

(2) "Administrator" means a person whose leadership in a district, school building or program area focuses on improved student learning by managing, supervising, mentoring and evaluating professional staff and by directing programs, curriculum, instruction, student assessment, and business administration in a public or private religious or nonsectarian school.

(3) "Advanced program" means a professional education program leading to licensure offered at the post baccalaureate level.

(4) "Aide" means a school employee who works under the direct supervision of a licensed teacher in a school or district whose responsibilities include, but are not limited to, supporting the lesson plan of the licensed teacher, providing technical assistance to the teacher, helping with classroom control or management, and other duties as assigned. Aides may not serve as substitute teachers.

(5) "Alternative education program" means an instructional program, approved by a school board, that utilizes successful alternative or adaptive school structures and teaching techniques and that is incorporated into existing traditional classrooms or regularly scheduled curricular programs or that is offered in place of regularly scheduled curriculum programs. "Alternative education program" does not include a private school, a special education program as described under ch. PI 11 or a home-based private educational program.

(6) "Approved program" means a professional education program developed and offered by or collaboratively between IHEs, or an alternative standards-based training and assessment pro-

gram in Wisconsin, approved by the state superintendent under s. 115.28 (7), Stats.

(7) "Classroom" means an area or space in a school designated for instructing pupils.

(8) "Clinical program" means supervised experiences in a school setting which provide practical experience for the student enrolled in a professional education program including prestudent teaching, student teaching, practicum and internships.

(9) "Communication skills" means proficiency in reading, writing, mathematics, speaking, listening, media and technology including computers and emerging technology along with the ability to use those skills for instruction.

(10) "Concentration" means a field of study in which a student completes an approved program leading to licensure by completing the required SCD course of study in the area, or for which a student exhibits, through approved performance criteria, including passing the standardized test required by the state superintendent in the field or through a portfolio review process for license conversion, skill in the area equivalent to that IHE program.

(11) "Conceptual framework" means the standards, assessments and benchmarks used by an institution of higher education to determine the communications skills, human relations and teaching dispositions, content knowledge, pedagogical knowledge and teaching practice competence of students who are candidates for a license.

(13) "Contact hour" means a 50-minute class period.

(14) "Content knowledge" means understanding the central concepts, tools of inquiry, and structures of a subject area.

(15) "Continuous review process" means a system of review and approval of teacher education programs whereby program results are reviewed by the department annually and approval is granted by the state superintendent on a 5-year basis.

and consumer education major, hold a family and consumer education license and shall have completed 2,000 hours of related occupational experience of which 1,000 hours shall be in the specific area in which the license will be sought.

4. Technology related occupations. For the technology related occupations license, the applicant shall have completed an approved program in technology education, hold a technology education license, and shall have completed 2,000 hours of related occupational experience of which 1,000 hours shall be in the specific area in which the license will be sought.

History: Cr. Register, April, 2000, No. 532, eff. 5-1-00; CR 10-083; am. (1) (a) 3., (b) 3., (3) (c) 1. h., (4), (5g) (h), (5m) (a), (6) (c) (intro.), cr. (5g) (i) Register November 2010 No. 659, eff. 12-1-10.

Subchapter XI — Additional Licenses

PI 34.34 Additional licenses. Licenses issued in the following categories do not require completion of an approved program or institutional endorsement from a college or university for issuance. Unless otherwise noted, licenses under this subchapter are issued for 5 years. Renewal requirements, if any, are specified under each license section.

(1) **CHARTER SCHOOL INSTRUCTIONAL STAFF LICENSE.** (a) Except as specified under par. (b), a charter school instructional staff license may be issued to an individual who holds a valid Wisconsin teaching license issued by the department to teach a subject outside his or her teaching license.

(b) An individual assigned to teach a core academic subject in a charter school shall hold a valid Wisconsin teaching license and have done one of the following:

1. Completed a major or minor in the assigned core academic subject.
2. Successfully passed a content knowledge examination prescribed by the state superintendent in the assigned core academic subject.
3. Demonstrated knowledge and competence in the assigned core academic subject based on an assessment process approved by the state superintendent.

(c) A charter school instructional staff license shall have the same renewal interval and renewal requirements as the existing license.

(d) The district administrator or a designated official of the employing school district or charter school under s. 118.40, Stats., may submit to the department a request that a license be issued under this subsection on behalf of the individual receiving the license if he or she volunteers for that assignment. The individual receiving the license under this subsection shall submit a completed application, developed by the department, specifying his or her qualifications for the license.

Note: A charter school instructional staff application may be obtained at no charge from the Department of Public Instruction, Teacher Education, Professional Development and Licensing, 125 South Webster Street, Madison, WI 53707-7841 or <http://dpi.wi.gov/tepd>.

(2) **CHARTER SCHOOL INSTRUCTIONAL STAFF PERMIT.** (a) An individual who has not completed an approved program may be employed as a member of the instructional staff in a charter school if he or she obtains a charter school instructional staff permit from the department. A one-year permit under this subsection may be issued if all of the following apply:

1. A district administrator or designated official of the employing school district or charter school under s. 118.40, Stats., requests the permit following a search for a qualified, licensed individual.

2. The individual receiving the permit has a bachelor's degree in the subject that he or she is assigned to teach or in a related field, or has formal proof of mastery in a trade that he or she is assigned to teach.

3. Except as specified under subd. 4., the individual receiving this permit shall complete 6 credits of training or the equivalent

coursework each school year that he or she is employed in a charter school. These credits shall be part of an approved license program in the assigned teaching area.

4. An individual who holds a terminal degree in his or her field and has a teaching assignment at an accredited postsecondary institution in Wisconsin, or an individual who has formal proof of mastery in a trade and has a teaching assignment at a Wisconsin technical college, is exempt from the requirement under subd. 3.

5. A permit holder's practice shall be coordinated, directed, and inspected by a person who is licensed by the department to teach the subject or trade that the permit holder is teaching.

(b) An individual may renew a permit under this paragraph if he or she meets the requirements under par. (a).

(2m) **VIRTUAL CHARTER SCHOOLS.** (a) An individual assigned to teach in a virtual charter school under s. 118.40 (8) (b) 1., Stats., shall hold a valid, regular license in the grades and subject areas of their assignment.

(b) Beginning July 1, 2010, an individual shall complete at least 30 hours of professional development designed to prepare a teacher for on-line teaching.

(3) **EDUCATIONAL INTERPRETER — DEAF OR HARD OF HEARING LICENSE.** (a) Any person employed by a school system to interpret for pupils who are deaf or hard of hearing as part of that pupil's special education program shall hold a license under this subsection. Except as specified in par. (b) and subs. (4) to (6), an applicant for an educational interpreter for pupils who are deaf or hard of hearing license shall complete or possess all of the following:

1. Evidence of coursework proficiency in the following content that equates to at least a minor at the professional educator level, including all of the following:

- a. Public speaking skills.
- b. Written English communication.
- c. Child and adolescent development.
- d. Psychological, social, and cultural aspects of people who are deaf or hard of hearing.
- e. Orientation to deafness, which shall include terminology, related to hearing loss, pathological perspectives, educational programs, and cultural perspectives of people who are deaf.
- f. Language development in children who are deaf or hard of hearing.

g. Competence in special education.

h. Theories of the various forms of visual communication used while interpreting, such as American Sign Language, manually coded English and oral interpreting.

i. Issues in educational settings such as theory, role and function, instructional support services, note-taking and classroom management in the prekindergarten through grade 12 setting.

j. Ethical and professional practices.

2. A practicum of at least 150 hours in the early childhood through adolescence level, 2 semesters of successful experience for at least 50% time as an educational interpreter or certification from the national registry of interpreters for the deaf.

3. Competence in oral interpreting which is the process of delivering a spoken message in a manner that is most visible via speechreading, or certification from the national registry of interpreters for the deaf as an oral interpreter. In this paragraph, "speechreading" means the practice of communicating using a combination of lip-reading, residual hearing, natural gestures and context clues.

4. a. Except as specified under subd. 4. b., the applicant shall have demonstrated competence in the area of interpreting for individuals who are deaf or hard of hearing which includes the following: Skill development in the use of American sign language and expressive interpreting which is the process of changing spoken English into American sign language, skill development in the use



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-113277

TKK: x.....

Rmr

PI
jld

DOA:.....Hynek, BB0364 - Virtual school teacher credit requirements

FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION

in 11/14/13

✓

1

don't gen ✓
AN ACT ...; relating to: the budget. ✓

Analysis by the Legislative Reference Bureau

EDUCATION ✓

PRIMARY AND SECONDARY EDUCATION ✓

This bill prohibits DPI from requiring a teacher licensed to teach in a virtual charter school to complete professional development not required to be completed by teachers who do not teach in a virtual charter school. ✓

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2

SECTION 1. 118.40 (8) (b) 3. of the statutes is created to read: ✓

3

118.40 (8) (b) 3. The department may not require a person licensed as provided ✓

4

under subd. 1. to complete professional development not required of any other ✓

5

individual required to be licensed under s. 118.19. ✓

6

SECTION 2. 121.02 (1) (a) 2. of the statutes is amended to read: ✓

121.02 (1) (a) 2. Subject to s. 118.40 (8) (b) 2. and 3., ensure that all instructional staff of charter schools located in the school district hold a license or permit to teach issued by the department. For purposes of this subdivision, a virtual charter school is located in the school district specified in s. 118.40 (8) (a) and a charter school established under s. 118.40 (3) (c) 1. c. is located in the school district specified in s. 118.40 (3) (c) 1. c. The state superintendent shall promulgate rules defining “instructional staff” for purposes of this subdivision.

History: 1973 c. 90, 115, 243, 333; 1975 c. 39, 198; 1977 c. 29, 178, 206, 418, 429, 447; 1979 c. 34, 221; 1985 a. 29, 228; 1987 a. 27, 399; 1989 a. 31, 285; 1991 a. 48, 269; 1993 a. 16, 339, 430, 450; 1995 a. 27 ss. 4036 to 4038, 9145 (1); 1997 a. 27, 113; 1999 a. 9; 2001 a. 16; 2005 a. 165, 220; 2007 a. 222; 2009 a. 28; 2011 a. 166.

(END)

Kuczenski, Tracy

From: Hynek, Sara - DOA <Sara.Hynek@Wisconsin.gov>
Sent: Monday, January 28, 2013 11:00 AM
To: Kuczenski, Tracy
Subject: RE: LRB 1132 - virtual teacher requirements

Confirmed, Gov's office would like to repeal. Thanks!

From: Kuczenski, Tracy [<mailto:Tracy.Kuczenski@legis.wisconsin.gov>]
Sent: Monday, January 28, 2013 8:57 AM
To: Hynek, Sara - DOA
Subject: RE: LRB 1132 - virtual teacher requirements

Hi Sara –

Hmm. I think this raises two separate questions. It seems clear that the DPI rule (PI 34.34 (2m) (b)) is based on this statutory provision, however:

1. This statutory provision is not limited only to teachers in virtual charter schools (it applies to all teachers) and
2. The prescriptive language created at s. 118.40 (8) (b) 3. in the draft (LRB 1132) is not specific to this particular rule; that is, it would prohibit DPI from requiring anything more of teachers in virtual charter schools than is required of teachers in other schools.

So I don't know how to answer your question, because it seems to be based on not entirely accurate conclusions.

Let me know how you'd like me to proceed.

Tracy

Tracy K. Kuczenski
Legislative Attorney
Wisconsin Legislative Reference Bureau
tracy.kuczenski@legis.wisconsin.gov
(608) 266-9867

From: Hynek, Sara - DOA [<mailto:Sara.Hynek@Wisconsin.gov>]
Sent: Saturday, January 26, 2013 4:42 PM
To: Kuczenski, Tracy
Subject: LRB 1132 - virtual teacher requirements

Hi Tracy - while searching for "course" yesterday I happened upon s. 118.19(13) - I think we would want to repeal it. If we repeal it, do we still need the language in the draft to get rid of the similar requirement in DPI rule?



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-1132/PT pz
TKK:jld:ph

insert
Karr

DOA:.....Hynek, BB0364 - Virtual school teacher credit requirements

FOR 2013-2015 BUDGET -- NOT READY FOR INTRODUCTION

in 1/28/13

Insert Analysis ✓

1

AN ACT ...; relating to: the budget.

do not gen

Analysis by the Legislative Reference Bureau

EDUCATION

PRIMARY AND SECONDARY EDUCATION

This bill prohibits DPI from requiring a teacher licensed to teach in a virtual charter school to complete professional development not required to be completed by teachers who do not teach in a virtual charter school.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

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SECTION 1. 118.40 (8) (b) 3. of the statutes is created to read:

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118.40 (8) (b) 3. The department may not require a person licensed as provided

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under subd. 1. to complete professional development not required of any other

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individual required to be licensed under s. 118.19.

6

SECTION 2. 121.02 (1) (a) 2. of the statutes is amended to read:

Insert 1-2 ✓

121.02 (1) (a) 2. Subject to s. 118.40 (8) (b) 2. and 3., ensure that all instructional staff of charter schools located in the school district hold a license or permit to teach issued by the department. For purposes of this subdivision, a virtual charter school is located in the school district specified in s. 118.40 (8) (a) and a charter school established under s. 118.40 (3) (c) 1. c. is located in the school district specified in s. 118.40 (3) (c) 1. c. The state superintendent shall promulgate rules defining “instructional staff” for purposes of this subdivision.

(END)

2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1132/P1ins
TKK:jld:ph

INSERT ANALYSIS

1 NO ~~A~~ (This bill) eliminates a requirement that any person teaching an online course
2 in a public school, including a charter school, must complete at least 30[✓] hours of
3 related professional development. The bill also NO ~~A~~

✓ INSERT 1-2

4 SECTION 1. 118.19 (13)[✓] of the statutes is repealed.



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-1132/P2
TKK:jld:rs

DOA:.....Hynek, BB0364 – Virtual school teacher credit requirements

FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to: the budget.**

Analysis by the Legislative Reference Bureau
EDUCATION

PRIMARY AND SECONDARY EDUCATION

This bill eliminates a requirement that any person teaching an online course in a public school, including a charter school, must complete at least 30 hours of related professional development. The bill also prohibits DPI from requiring a teacher licensed to teach in a virtual charter school to complete professional development not required to be completed by teachers who do not teach in a virtual charter school.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 **SECTION 1.** 118.19 (13) of the statutes is repealed.

3 **SECTION 2.** 118.40 (8) (b) 3. of the statutes is created to read:

4 118.40 (8) (b) 3. The department may not require a person licensed as provided
5 under subd. 1. to complete professional development not required of any other
6 individual required to be licensed under s. 118.19.

SECTION 3. 121.02 (1) (a) 2. of the statutes is amended to read:

121.02 (1) (a) 2. Subject to s. 118.40 (8) (b) 2. and 3., ensure that all instructional staff of charter schools located in the school district hold a license or permit to teach issued by the department. For purposes of this subdivision, a virtual charter school is located in the school district specified in s. 118.40 (8) (a) and a charter school established under s. 118.40 (3) (c) 1. c. is located in the school district specified in s. 118.40 (3) (c) 1. c. The state superintendent shall promulgate rules defining “instructional staff” for purposes of this subdivision.

(END)